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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/698,553	10/27/2000	Kirk Sanford	50083	5011

22929 7590 10/30/2002

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ST CYR, DANIEL

ART UNIT	PAPER NUMBER
2876	

DATE MAILED: 10/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/698,553	SANFORD, KIRK
	Examiner	Art Unit
	Daniel St.Cyr	2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 14 August 2002.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-30 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

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## **DETAILED ACTION**

1. Receipt is acknowledged of the amendment filed 8/14/02 in which claims 1-8 were amended and claims 9-30 were added.

### ***Claim Objections***

2. Claims 8 and 26 are objected to because of the following informalities: lines and “ATM-type” should be changed to --ATM--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crevelt et al, US patent No. 5,902,983, in view of Von Kohorn, US Patent No. 5,916,024.

Crevelt et al disclose a preset amount electronic funds transfer system for gaming machines comprising: associating a point of sale device (card reader having slot therein) with the entertainment device 28, 30, 32; placing the entertainment machine and the POS in communication with an active layer 54; placing the active layer in communication to a host processor 56; placing the host processor a financial institution (see col.7, line 65 to col. 8, line 6); requesting electronic funds via the point of sale device (see col. 9, line 20-23); forwarding the request to the active layer (see col. 8, lines 42-61); profiling the request for either approving or disapproving the request (see col. 6, line 33+); and providing electronic funds to the user if the request is approved. Regarding how the fund is collected the approval of the fund falls within the

engineering design choice failing to provide any unexpected results, which there, obvious. (see figures 1 and 2; col. 9, line 1+).

Crevelt et al disclose that an attendant could set to adjust the preset limit in response to some preset condition, but fail to disclose or fairly suggest that the request is profiling by the active layer.

Von Kohorn disclose a system and method of playing games and rewarding successful players comprising: a data facility 904 to communicate to central telephone facility 702 to set different credit limits so that a data storage device 940 is provided with credit limit data so that any wager exceeding the credit limit is rejected by the data facility 904 (see col. 97, line 55+).

In view of Von Kohorn's teachings, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to include well known credit limit information into the users' preset conditions of the system of Crevelt et al as a means for regulating users' gambling habit. Such modification would make the system more controllable, more attractive to the general public, and more practical by allowing the customers to set up their credit limit so that the active layer could automatically prevent the users from exceeding their budget plan. Therefore, it would have been an obvious extension as taught by Crevelt et al.

#### *Response to Arguments*

5. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 703-305-2656. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7721 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Daniel St.Cyr  
Examiner  
Art Unit 2876

DS  
October 28, 2002

A handwritten signature in black ink, appearing to read "Daniel St.Cyr", is enclosed within a large, roughly oval-shaped outline. The signature is fluid and cursive, with the name "Daniel" on top and "St.Cyr" below it.